

Application No.: 10/574,254

Docket No.: 17242/003004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Yin Chen et al.

**22511**

PATENT TRADEMARK OFFICE

Application No.: 10/574,254

Confirmation No.: 9063

Filed: March 30, 2006

Art Unit: N/A

For: NUCLEOTIDES FOR PREVENTION AND  
TREATMENT OF BACTERIAL AND  
FUNGAL PATHOLOGIES

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATION CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

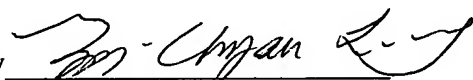
This is in response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated July 10, 2006.

Submitted herewith in connection with the above-referenced patent application are a replacement printed copy of the Sequence Listing and a computer readable copy of the Sequence Listing. Applicant asserts that the Sequence Listing on the computer readable form is identical to the printed copy and that no new matter has been added to the replacement Sequence Listing.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 17242/003004 from which the undersigned is authorized to draw.

Dated: September 11, 2006

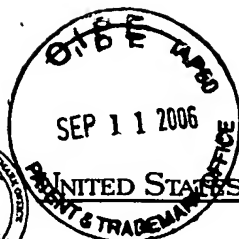
Respectfully submitted,

By 

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U.S. APPLICATION NUMBER NO. 10/574,254	FIRST NAMED APPLICANT Yin Chen	ATTY. DOCKET NO. 17242003004
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INTERNATIONAL APPLICATION NO. PCT/US04/17331
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I.A. FILING DATE 06/03/2004	PRIORITY DATE 06/03/2003
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22511  
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 SUITE 2800  
 HOUSTON, TX 77010

Docketed Action:	
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Previously <input type="checkbox"/> Non Required
Docket Number: 17242/003004	
Attorney Initials: TCL/TCL	
Docketing Initials: 1140	

CONFIRMATION NO. 9063

371 FORMALITIES LETTER



\*OC000000019531434\*

Date Mailed: 07/10/2006

## NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,254	PCT/US04/17331	17242003004

FORM PCT/DO/EO/922 (371 Formalities Notice)